

June 30, 2010

Planning Commissions – Teton County and Town of Jackson
Re: July 1 Comp Plan Hearing & Future Land Use Plan Discussions
Submitted via email

Dear commissioners,

On behalf of the members of the Jackson Hole Conservation Alliance, we would like to submit the following comments regarding the proposed resolution to “adopt and certify the 2010 Jackson/Teton County Comprehensive Plan as the comprehensive master plan for the Town of Jackson, Wyoming and Teton County, Wyoming.” The staff report for the July 1 hearing and the exact wording of the proposed resolution raised a number of questions that we believe are essential to answer prior to your much-deserved break from Comp Plan discussions. These questions are not minor; they are fundamental to understanding what the most basic structure of the new Plan will be.

To make sure the upcoming review process by elected officials is clear and understandable for the public, below are the key issues that must be discussed:

Organization and content of the new Comprehensive Plan

Key questions to consider include: What sections of the April 2009 draft (in terms of content) do you expect to be considered the “Comprehensive Plan” or an acceptable replacement of our existing plan? Specifically, the April 2009 draft plan included two primary sections – the Themes and Policies and the Future Land Use Plan. (See the April 2009 draft’s Table of Contents.) To date, you have reviewed the Themes and Policies and deferred, indefinitely, the review of the Future Land Use Plan – a 65-page portion of the plan. It is our understanding that this review was simply put on hold as a matter of efficiency - to allow elected officials an opportunity to review the Themes and Policies prior to spending staff resources to amend and modify the Future Land Use Plan. **The resolution now implies that the Themes and Policies alone are intended to be the new comprehensive plan, and what was once nearly half of the proposed Plan – the Future Land Use Plan – will not be considered a part of the Plan itself.** (The draft resolution even goes so far as to say that it could be added later as an appendix.) **This significant shift warrants extensive discussion, including additional clarification, legal implications and unintended consequences.**

Timing of formal adoption of the new Comprehensive Plan

Related to the issue above is the need to identify the specific conditions that should be in place prior to a replacement of our community’s existing plan. **The Conservation Alliance does not agree that the Themes and Policies alone would suffice as an acceptable replacement of our existing plan.** This section currently lacks the clear guidance and direction that comprehensive plans should provide. For just two examples, Themes Two and Three include the following policy language, which indicates how critical of a role the Future Land Use Plan is intended to play:

- Policy 2.3c - Balance future conservation and development patterns using the Future Land Use Plan
- Policy 3.4b - Mixed-use districts will be guided by the Future Land Use Plan.

Without incorporating the next step of the Future Land Use plan, and looking at the hard questions about, for example, the exact areas of Town that should expect a shift to higher-intensity mixed-use, the goals of this process will not have been achieved.

It is important to acknowledge that the April 2009 draft was written in a very different way than our current Plan. Because many of the new draft’s policies are so abbreviated and vague, the complementary Future

Land Use Plan was explicitly designed to be a critical piece to bring increased predictability to the overall vision. **If the Future Land Use Plan is not going to be a specific part of the new plan as was originally intended, major changes must be made to the Themes and Policies to make the section clear enough to provide adequate guidance for the land development regulations and future land use decisions.**

In summary, **we recommend that you pursue the second bullet point listed in the staff report under Future Land Use Plan, specifically that the planning commissions recommend to the elected officials that the plan, including the FLUP, is adopted in its entirety upon its completion.** We recommend this option for a number of reasons. First, based on the original structure of the draft, the Themes and Policies alone should not stand as a replacement of our existing plan. It is important to distinguish between the Themes and Policies section of the Comp Plan versus the Comp Plan in its entirety. Second, it appears that if the Future Land Use Plan section of the Comp Plan will be considered an actual part of the plan, and not an appendix, it should be reviewed by the joint planning commissions. (If this is not the case, could this be clarified? For example, if bullet point four is pursued, and only the elected officials review the Future Land Use Plan, does it mean that the Future Land Use Plan cannot officially be considered part of the plan?)

Significance of the Future Land Use Plan

We appreciate that the topic of the Future Land Use Plan was finally incorporated into the staff report. After all, it constitutes nearly half of the April 2009 draft and was intended to be the key basis for increased predictability of the overall plan. This section includes considerable narrative on what types of development and conservation efforts are appropriate across the valley's 25 districts, and perhaps most significantly, includes a table that identifies the plan's themes that will take precedence in each of the districts.

To be clear, throughout this process the Conservation Alliance has raised a number of concerns about the new element of the 2009 draft - The Future Land Use Plan. The Conservation Alliance does not fully support the existing structure of the Future Land Use Plan; we fully recognize that this section of the April 2009 draft needs significant modifications and amendments. However, at the same time, given the way the Themes and Policies were drafted, we recognize the complementary role it was supposed to have in the overall plan.

To conclude, **the Conservation Alliance believes that a new Comp Plan needs to have some component - whether it is the Future Land Use Plan or simply more narrative in the Themes and Policies - that will bring increased predictability to the community and provide for enforceable policies. As such, if it is to be included, the Future Land Use Plan must be an essential part of - not an appendix or addendum to - our community's new plan.** We therefore ask that the planning commissions recommend that the elected officials wait to adopt the 2010 plan in its entirety until after the joint planning commissions complete their review of the Future Land Use Plan. This is not so much a matter of the April 2009 Future Land Use Plan's content, which we feel needs considerable modification, but is more a matter of the intended function of this section to bring increased predictability and guidance to the land development regulations. We understand that the Future Land Use Plan intends to bridge the Themes and Policies to the land development regulations, but question the implied shift that it will no longer be a section of the plan itself.

Thank you for your consideration of these comments.

Sincerely,



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Community Planning Director



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